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May 20, 2021

VIA ECF

Honorable Leda Dunn Wettre, U.S.M.J.
United States District Court
Martin Luther King, Jr. Federal Building & Courthouse
50 Walnut Street
Newark, New Jersey 07102

Re: Mark Newton and Andrea Newton v. Walmart Inc., Dwayne Mays, et al
U.S.D.C. N.J., Civil Case No. 2:15-cv-6228
Our File No. 141.178

Dear Judge Wettre:

As Your Honor may recall, this firm represents Defendants, Walmart Inc. and Dwayne Mays (hereinafter referred to as “Walmart Defendants”) in the above-referenced matter. In accordance with Your Honor’s February 22, 2021 Amended Scheduling Order, Walmart Defendants respectfully submit this status letter in advance of the telephonic conference scheduled for May 27, 2021.

Plaintiffs, Mark and Andrea Newton, filed their Fourth Amended Complaint on October 14, 2020. Defendants Walmart Inc. and Dwayne Mays moved to dismiss the Complaint pursuant to Fed. R. Civ. P. 12(b)(6) on November 30, 2020. This Motion to Dismiss is fully briefed and remains pending with the Court.

With respect to discovery, Walmart Defendants served responses to Plaintiffs’ discovery requests on March 12, 2021. Walmart Defendants propounded their initial discovery requests on Plaintiffs on January 29, 2021, and Plaintiffs’ responses to those requests were due on March 1, 2021. Nonetheless, Plaintiffs’ discovery responses continue to remain overdue and outstanding.

Thank you for Your Honor's continuing attention to this matter.

cc: All counsel of record

Very truly yours,
McDONNELL & ASSOCIATES, P.C.

/s/ *Christina M. Matteo*
Christina M. Matteo, Esquire